

## PATENT COOPERATION TREATY

PCT

## NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents  
United States Patent and Trademark  
Office  
Box PCT  
Washington, D.C. 20231  
ÉTATS-UNIS D'AMÉRIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 08 March 2000 (08.03.00)	
International application No. PCT/US99/15068	Applicant's or agent's file reference MO925/7067WO
International filing date (day/month/year) 02 July 1999 (02.07.99)	Priority date (day/month/year) 02 July 1998 (02.07.98)
Applicant CHAN, Vanessa, Z., H. et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:

27 January 2000 (27.01.00)

☐ in a notice effecting later election filed with the International Bureau on:2. The election ☒ was☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland  Facsimile No.: (41-22) 740.14.35	Authorized officer  Olivia RANAIVOJAONA  Telephone No.: (41-22) 338.83.38
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# PATENT COOPERATION TREATY

## PCT

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### INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference MO925/7067WO	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US99/15068	International filing date (day/month/year) 02/07/1999	Priority date (day/month/year) 02/07/1998
International Patent Classification (IPC) or national classification and IPC G03F7/004		
Applicant MASSACHUSETTS INSTITUTE OF TECHNOLOGY et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 4 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☐ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand  27/01/2000	Date of completion of this report  21.11.2000
Name and mailing address of the international preliminary examining authority:   European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer  Randez Garcia, F  Telephone No. +49 89 2399 2234 

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US99/15068

## I. Basis of the report

1. This report has been drawn on the basis of *(substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments (Rules 70.16 and 70.17).):*

### Description, pages:

1-55 as originally filed

### Claims, No.:

1-148 as originally filed

### Drawings, sheets:

1/18-18/18 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US99/15068

☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:  
**see separate sheet**

### III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

☒ the entire international application.

☐ claims Nos. .

because:

☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (*specify*):

☒ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. claims 1-45 are so unclear that no meaningful opinion could be formed (*specify*):  
**see separate sheet**

☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.

☒ no international search report has been established for the said claims Nos. 46-148.

2. A meaningful international preliminary examination report cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

☐ the written form has not been furnished or does not comply with the standard.

☐ the computer readable form has not been furnished or does not comply with the standard.

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

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International application No. PCT/US99/15068

**Re Item I**

**Basis of the report**

- 1). The amendments submitted with letter dated 23.10.2000 have been filed after the time limit set (22.10.2000). Since the drawing up this report had already been started, the amendments and arguments submitted in that letter have not been taken into consideration for establishing this report (see Article 66.4bis PCT).

**Re Item III**

**Non-establishment of opinion with regard to novelty, inventive step and industrial applicability**

- 2). No International Search Report has been established in respect of claims 46-148. According to Rule 66.1(e) PCT, such claims need not be the subject of an International Preliminary Examination Report and will not be taken into consideration for establishing this report.
- 3). Although claims 1-7 and 30 have been drafted as separate independent claims, they appear to relate effectively to the same subject-matter and to differ from each other only with regard to the definition of the subject-matter for which protection is sought or in respect of the terminology used for the features of that subject-matter. The aforementioned claims therefore lack conciseness. Moreover, lack of clarity of the claims as a whole arises, since the plurality of independent claims makes it difficult, if not impossible, to determine the matter for which protection is sought, and places an undue burden on others seeking to establish the extent of the protection.
- 4). Hence, claims 1-45 do not meet the requirements of Article 6 PCT and are so unclear that no meaningful opinion can be formed on the novelty, inventive step or industrial applicability of the claimed subject-matter (see Articles 34(4)(a)(ii) and 35(3)(a) PCT).

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>M0925/7067W0</b>	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. <b>PCT/US 99/ 15068</b>	International filing date (day/month/year) <b>02/07/1999</b>	(Earliest) Priority Date (day/month/year) <b>02/07/1998</b>
Applicant <b>MASSACHUSETTS INSTITUTE OF TECHNOLOGY et al.</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 5 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

## 1. Basis of the report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.



the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing :



contained in the international application in written form.



filed together with the international application in computer readable form.



furnished subsequently to this Authority in written form.



furnished subsequently to this Authority in computer readable form.



the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.



the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☒ Certain claims were found unsearchable (See Box I).

3. ☐ Unity of invention is lacking (see Box II).

## 4. With regard to the title,



the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

## 5. With regard to the abstract,



the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

## 6. The figure of the drawings to be published with the abstract is Figure No.



as suggested by the applicant.



because the applicant failed to suggest a figure.



because this figure better characterizes the invention.

7



None of the figures.

# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/US 99/15068

## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
  
2. ☒ Claims Nos.: 46-148 (all in part)  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:  
see FURTHER INFORMATION sheet PCT/ISA/210
  
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
  
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
  
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
  
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

### Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Claims Nos.: 46-148 (all in part)

Present claims 46-148 relate to an extremely large number of possible systems/articles/methods accessible through a variety of processes/methods/systems. Support within the meaning of Article 6 PCT and/or disclosure within the meaning of Article 5 PCT is to be found, however, for only a small proportion of the systems/articles/ methods claimed. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Consequently, the search has been carried out for those parts of the claims which appear to be supported and disclosed, namely those parts relating to the systems/articles/methods of claims 1-45. The limited search of the remaining claims is based on processes/methods/systems explicitly mentioned in the description.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.



# INTERNATIONAL SEARCH REPORT

National Application No  
PCT/US 99/15068

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 B81B1/00 C08F297/04 C08J9/26 G03F7/00

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 B81B C08F C08J G03F

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	Y. NI ET AL.: "Transition Metal-Based Polymers with Controlled Architectures: Well-Defined Poly(ferrocenylsilane) Homopolymers and Multiblock Copolymers via the Living Anionic Ring-Opening Polymerization of Silicon-Bridged '1!Ferrocenophanes" JOURNAL OF THE AMERICAN CHEMICAL SOCIETY, vol. 118, 1996, pages 4102-4114, XP002121143	1,2, 4-11,16, 17, 23-29, 63,64,69
Y	page 4103, column 1, line 21 page 4112, column 1, line 40 -page 4113, column 2, line 23 --- -/--	3,12-15



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

\* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

1 November 1999

Date of mailing of the international search report

25. 11. 1999

Name and mailing address of the ISA

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Authorized officer

Haenisch, U

## INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 99/15068

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	FORSTER S ET AL: "Amphiphilic block copolymers in structure-controlled nanomaterial hybrids" ADV MATER;ADVANCED MATERIALS FEB 11 1998 WILEY-VCH VERLAG GMBH, WEINHEIM, GER, vol. 10, no. 3, 11 February 1998 (1998-02-11), pages 195-217, XP002121144	3,12-15
X	the whole document ---	30,107
A	LIU GUOJUN ET AL: "Diblock thin films with densely hexagonally packed nanochannels" ADVANCED MATERIALS, 2 JAN. 1998, VCH VERLAGSGESELLSCHAFT, GERMANY, vol. 10, no. 1, pages 69-71, XP000727826 ISSN: 0935-9648 ---	
P,A	MASSEY J A ET AL: "ORGANOMETALLIC NANOSTRUCTURES: SELF-ASSEMBLY OF POLY(FERROCENE) BLOCK COPOLYMERS" ADVANCED MATERIALS, vol. 10, no. 18, 18 December 1998 (1998-12-18), pages 1559-1562, XP000791584 ISSN: 0935-9648 page 1560, column 1, line 1 - line 12 -----	